

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|-------------------------------|---|-----------------------------------|
| JOHN RUDOLF, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 19-1468 |
| |) | Magistrate Judge Maureen P. Kelly |
| v. |) | |
| |) | |
| AMERICAN INTERNATIONAL GROUP, |) | Re: ECF No. 177 |
| INC., NATIONAL UNION FIRE |) | |
| INSURANCE COMPANY OF |) | |
| PITTSBURGH, PA, and ALEXANDER |) | |
| BAUGH, |) | |
| |) | |
| Defendants. |) | |

ORDER

AND NOW this 21st day of March, 2023, IT IS HEREBY ORDERED that Defendants'

Motion for Summary Judgment, ECF No. 177, is GRANTED IN PART and DENIED IN PART.

The Motion for Summary Judgment is GRANTED as to these claims:

1. FCA retaliation claim (Count II);
2. Age discrimination under ADEA and PHRA (Counts III and VII), but only to the extent those claims arise out of unequal compensation;
3. Retaliation claims under the ADEA, Title VII, PHRA and EPA (Counts IV, VI, VIII and X);
4. Gender discrimination claims under Title VII, the PHRA, and the EPA (Counts V, VII and IX);
5. Intentional interference with contractual relationship (Count XI);
6. Fraud (Count XII);
7. Wrongful discharge (Count XIII);
8. Breach of contract (Count XIV); and
9. PWL claim (Count XV).


The Motion for Summary Judgment is DENIED in all other respects, so that the following claims remain to proceed to trial:

1. Rudolf's SOX whistleblower retaliation claim (Count I); and
2. Age discrimination under ADEA and PHRA (Counts III and VII), but only to the extent those claims arise out of Rudolf's alleged termination.

AIG remains a defendant along with NUFIC as to the claims remaining for trial.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order he or she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P., with the Clerk of Court, United States District Court, 700 Grant Street, Room 3110, Pittsburgh, PA 15219.

BY THE COURT:



MAUREEN P. KELLY
UNITED STATES MAGISTRATE JUDGE